IPI Academy

falconbury



Presented by
Falconbury

Managing and Evaluating Bids and Tenders

20-21 May 27
+ 4-5 November 27

Navigate complex tender processes with confidence. Interactive training course covering evaluation methods, commercial clauses, and post-award contract administration for procurement professionals.

Format:
Live online

CPD:
12 hours for your records

Certificate of completion

Course overview

This two-day training course will provide participants with a powerful insight on how to successfully prepare and evaluate tenders and how to submit proposals in response to a tender. The course will also focus on the step-by-step process of bid and tender management, right from tender planning through to the award phase.

The expert trainer will take participants through the clauses which deal with contractual risks in a tender document and explain when a tender document becomes a contract. In turn, this will ensure participants understand their rights as a client and a contractor. This workshop-style training course is specifically designed to expose participant's to the whole gamut of tendering from both buyer and seller perspective.

Key topics to be covered include:

- How to operate their tender process with the highest levels of accountability and governance
- The buyer and seller perspective in tendering and submitting proposals
- The legal rights of the parties at the tender stage
- Commercial terms frequently used in a tender document and the contractual clauses that deal with transfer of risks
- The practices and procedures governing tendering including issuing, receiving and evaluation
- International best practices in dealing with LOI, MOU and NDAs

The expert trainer will use a mix of theory plus lively and interactive training methods, including exercises, case studies, practice sessions and group discussions. This training course is designed to help you understand tender management right from the planning stage th4ough to closure.

Benefits of attending

By attending this training course you will:

- **Understand** the legal and regulatory frameworks of the procurement process
- **Explore** the different types of tender and contracting methods
- **Consider** the legal documents needed at each stage of the management process
- **Learn** how to determine and select the most economic and advantageous tender
- **Expand** your knowledge of commercial terms and their potential impact
- **Clarify** the clauses that deal with contractual risk and how to minimise and transfer risk
- **Review** the post-tendering steps and what happens next

Who should attend?

This training course has been specifically designed for:

- Contract managers and administrators
- Bid managers
- Contract analysts and engineers
- Commercial managers and engineers
- Project and procurement managers
- Business development managers

It will also be of benefit for everyone involved in the preparation, evaluation and management of commercial invitations to tender, requests for bids and proposals, and contracts for the purchase of services, materials or equipment.

Programme

Day 1

Understanding contract law principles with regards to tender contracts

- Definition of contract
- Offer or proposal
- Rejection of an offer or counter offer
- Acceptance
- Consideration
- Purchase order or work order
- RFP/RFQ/RFI/ITB
- Performance of contract
- Discharge of contract
- Remedies for breach of contract
- The battle of forms
- Privity of contract

Tender basics

- Definition of tender
- The competitive bidding process
- Two step sealed bidding
- Terms and definitions
- Types of tender
- E-tendering
- RFP, RFQ and ITB
- EOI
- Tendering law - case study

Tender process management

- Tender planning
- Types of tender
- Contents of tender
- Pitfalls to avoid when drafting SOW
- Steps involved in tender process
- Tender documents
- Evaluation of tender
- Finding a competent contractor
- Negotiations
- Award

Understanding the legal position of documents

- Letter of tender
- Letter of acceptance
- Letter of award
- Letter of intent

Understanding the bid from the sellers perspective

- How to write a powerful proposal
- Evaluation of proposals
- Understand proposal management
- Cost benefit analysis
- Tips for preparing proposals that win contracts
- Best practices in developing proposals

Contracting pricing arrangements

- Fixed price contracts
- Cost reimbursable contracts
- Contract incentives
- Cost plus incentive fee
- Cost plus award fee
- Time and materials contracts
- Selecting the best contract type

Day 2

Contracting methods

- Simplified methods
- Formal competitive methods
- Sealed bidding
- Key steps in source selection
- Reverse auction
- E-procurement and e-tendering

Commercial terms/clauses in a tender

- Letter of credit
- Comfort letter
- Tender bond/guarantee
- Retention guarantee
- Performance guarantee
- Parent company guarantee
- Advance payment guarantee

International best practices in dealing with LOI, MOU and NDA

- Letter of intent/award
- Memorandum of understanding
- Non-disclosure agreements

Getting to grips with terms

- Guarantee
- Warranty
- Misrepresentation
- Implied provisions in contract
- Condition precedent/ condition subsequent

Understanding contractual risk clauses - how to minimise and transfer the risk

- Indemnity
- Assignment and delegation
- Successors and assigns
- Limitation of liability/total liability cap
- Third party liability
- Force majeure
- Damages, liquidated damages/ penalty
- Consequential damages
- Negligence/gross negligence and willful misconduct
- Payment
- Confidentiality
- Exclusive remedy provisions
- Governing law
- Insurance
- Subrogation and waiver of subrogation

Post-tender contract administration: what happens next?

- Developing a contract administration plan
- Post-award kick-off meeting
- Performance monitoring/quality assurance
- Delays in performance
- Variations/change order
- Disputes, claims & termination

Presenter



Manoj Nair

Manoj Nair is a Partner with SVM Contract Consultants. He has over 25 years of professional experience in consulting and training. He advises clients on how to improve their contracts and take preventative steps to reduce claims. He has advised companies in India and around the world on procurement/contract management processes, tender/bid management, FIDIC conditions of contract, vendor management, supply-chain contractual risk, contract negotiations, contract administration, claims management, contract drafting, bankruptcy laws and US FCPA and UK Bribery Act, anti-money laundering and counter terrorism financing, and dispute resolution.

He has worked with diverse clientele throughout his career including companies from the construction, energy, power, EPC, telecoms, IT, travel, insurance, manufacturing, media, banking and oil and gas sectors.

He has extensive training experience and has to date conducted 350 **+** corporate training's, on topics including: contract drafting and negotiations, contract/procurement management, tender/bid management, outsourcing contracts, proposal writing, vendor management, negotiations for supply chain managers, FIDIC Conditions of Contract, US FCPA and UK Bribery Act, anti-money laundering and counter-terrorism financing, business case writing, claims management and negotiations.
He is fluent in English and Hindi.

Course dates

20-21 May 27	**Live online** 09:00-17:00 **UK (London)** (UTC+01) *Course code 17205*	GBP **999** ~~1,199~~ EUR **1,399** ~~1,679~~ USD **1,607** ~~1,919~~ **Until 25 Mar**
4-5 November 27	**Live online** 09:00-17:00 **UK (London)** (UTC+00) *Course code 17460*	GBP **999** ~~1,199~~ EUR **1,399** ~~1,679~~ USD **1,607** ~~1,919~~ **Until 09 Sep**

How to book

Online:
ipi.academy/3087

Alternatively contact us to book, or if you have any queries:

Email:
info@ipiacademy.com

Phone:
+44 (0)20 7749 4749

Discounts

- Booking more than one delegate on any one date qualifies for a **30% discount** on the second and subsequent places.
- Most events qualify for an **early booking discount** prior to 6 weeks before the course date. Be sure to check on our website, where the latest discounts will be shown.

Further information

Fee
The fee includes all meals and refreshments for the duration of the course (for venue-based courses) and a complete set of course materials (provided electronically). If you have any particular requirements, please advise customer services when booking.

Please note
IPI Academy (and our training partners) reserve the right to change the content and timing of the programme, the speakers, the date and venue due to reasons beyond their control. In the unlikely event that the course is cancelled, we will refund the registration fee and disclaim any further liability.

Terms and conditions
The rest of the our terms, the event cancellation policy and the terms and conditions are on our website, please visit ipi.academy/content/terms-and-conditions

Run this programme in-house for your whole team

Coming to IPI Academy for your in-house training provides an all-inclusive service which gives you access to a wide variety of content, learning platforms and delivery mechanisms as well as your own personal training adviser who will work with you from the initial enquiry through to feedback and follow-up after the programme.

With over 600 trainers, all practitioners and experts across a huge range of fields, we can provide the training you need, where you need it, when you need it, and at a price which suits your budget. Our approach to tailored learning and development consists of designing and delivering the appropriate solution for each client.

For your FREE consultation and to find out more about how we can work with you to solve your training needs, please contact our training advisers:



ALEKSANDRA BEER
Tel: +44 (0)20 7749 4749
Email:
inhouse@ipiacademy.com



YESIM NURKO
Tel: +44 (0)20 7749 4749
Email:
inhouse@ipiacademy.com



Harry ALTAMONT
Tel: +44 (0)20 7749 4749
Email:
inhouse@ipiacademy.com

IPI Academy

IPI Academy is a training initiative of Falconbury and Management Forum; leading providers of industry training for over 30 years, based in the UK.

10-12 Rivington Street
London EC2A 3DU

ipi.academy
Tel: +44 (0)20 7749 4749
Email: info@ipiacademy.com